

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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	:	
ROSA OLIBARES and ADAM RUSSELL, <i>on</i>	:	
<i>behalf of themselves, FLSA Collective</i>	:	
<i>Plaintiffs, and the Class,</i>	:	
	:	21-CV-10694 (VSB)
Plaintiffs,	:	
	:	<b><u>ORDER</u></b>
-against-	:	
	:	
MK CUISINE GLOBAL LLC, <i>et al.</i> ,	:	
	:	
Defendants.	:	
-----X	:	

VERNON S. BRODERICK, United States District Judge:

On May 20, 2024, Plaintiffs filed a motion to enforce a class settlement agreement that I previously rejected under *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015). (Doc. 103.) Having reviewed the motion, I fail to see how its “legal contentions are warranted by existing law.” Fed. R. Civ. P. 11(b)(2). For example, Plaintiffs fail to cite a single case for the proposition that I have authority to (1) unilaterally alter the terms of an existing settlement agreement, and (2) enforce the revised agreement against Defendants over their objection. Accordingly, it is hereby

ORDERED THAT briefing on the motion is adjourned.

IT IS FURTHER ORDERED THAT that counsel for all parties shall appear telephonically for a conference scheduled on June 7, 2024 at 2:00 p.m. The call-in number for the conference line is 888-363-4749 and the access code is 2682448.

SO ORDERED.

Dated: May 22, 2024

New York, New York

A handwritten signature in black ink, reading "Vernon Broderick". The signature is written in a cursive style with a large, stylized "V" and "B".

Vernon S. Broderick

United States District Judge